

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

UNITED STATES OF AMERICA)	
)	
v.)	2:03-cr-00504-LSC-JEO
)	
DEANDRIA JAMIESE TOLIVER)	

MEMORANDUM OF OPINION

The court has considered the entire file in this action together with the Magistrate Judge's Report and Recommendation (doc. 52) and has reached an independent conclusion that the Magistrate Judge's Report and Recommendation is due to be adopted and approved. The court hereby adopts and approves the findings and recommendation of the magistrate judge as the findings and conclusions of the court. In accord with the recommendation, the motion for leave to file an out of time appeal pursuant to § 2255 is due to be dismissed with prejudice. An appropriate order will be entered.

Done this 17th day of September 2008.



L. SCOTT COOGLER
UNITED STATES DISTRICT JUDGE
153671